IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE SEVENTH DAY OF OCTOBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE DR JUSTICE G.YETHIRAJULU

-

WRIT PETITION NO : 16825 of 2004

Between:

G. Sree Rama Murthy S/o. Late Venkata Ramanaiah
O/o. Secretary, State Board of Technical Education and Training, A.P., Hyderabad.
R/o. Hyderabad.

..... PETITIONER

AND

The Secretary,

State Board of Technical Education and Training,

BRK Buildings, Hyderabad.

.....RESPONDENT

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to Issue a writ order or direction more particularly one in the nature of Writ of Mandamus declaring the proceedings in Memo NO. SBTET/C1/7248/94 DT. 31.8.2004 as illegal, arbitrary, unconstitutional and contrary to Service Regulations of the Board and set aside the same and consequently direct the respondent to promote the petitioner to the post of Record Assistant from the date of petitioner's juniors promotion with all consequential benefits and pass.

Counsel for the Petitioner: MR.C.V.BHASKAR REDDY

Counsel for the Respondent : MR.P.V.S.S.RAMA RAO

The Court at the stage of admission made the following ORDER:

The petitioner is working as an Attender in the respondent-Board since 1984 and he was regularized in 1990. He contends that he passed 9th class and he completed service of three years as an Attender. Therefore, he is eligible to be promoted as a record assistant in the respondent-Board.

But the learned Counsel for the respondent filed a counter affidavit wherein it is mentioned that as per the amended regulations of 1998, the pass in 10th Class (SSC) is the minimum requisite qualification for the purpose of consideration to the post of record assistant on promotion also. Since the petitioner did not possess the said qualification as per the amended regulations, it is not possible to direct the respondent to promote him as a record assistant.

It is needless to say that the respondent would consider the case of the petitioner as and when he acquires the requisite qualification for promotion as a record assistant.

The writ petition is accordingly dismissed with the above observations.

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Dr. G. Yethirajulu, J.

Dt:7th October, 2004.

Rns.

To

1. The Secretary,
State Board of Technical Education and Training,
BRK Buildings, Hyderabad.

2. Two CD copies.